



# **STAFF POLICY TO PREVENT AND RESPOND TO (SEXUAL) EXPLOITATION, ABUSE AND/OR HARASSMENT**

This policy applies to all staff (Permanent, interns, graduate trainees), beneficiaries and consultants employed by or working for Outbox both during working and off-duty hours

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## Definitions

### When used in this document:

**Child or minor:** A person under the age of 18 (as defined by the Convention on the Rights of the Child)

**Corruption:** The misuse of entrusted power for private (or organisational) gain

**Exploitation:** Use of one's position of authority, influence or control over resources, to pressure, force, or manipulate someone by threatening or coercing them with negative repercussions such as withholding project assistance, not giving due consideration to a staff member's work support requests, threatening to make false claims about a staff member in public, etc

**Misconduct:** Any breach by staff or applicable national or international law as well as contraventions of Outbox's internal rules or policies, including this policy, regulations or other instructions issued by the relevant manager or authority that include contextualised security provisions and sexual harassment policies

**Sexual Abuse:** The actual or threatened physical intrusion of a sexual nature, including inappropriate touching, by force or under unequal or coercive conditions (United Nations Secretary General's Bulletin 2003/13, 9 October 2003: Special measures for protection from sexual exploitation and abuse)

**Sexual exploitation:** Any actual or attempted abuse of a position of vulnerability, differential power or trust for sexual purposes, including but not limited to profiting monetarily, sexually or politically from the sexual exploitation of another. This includes any exchange of money, goods or services against sexual activities and favours (United Nations Secretary General's Bulletin 2003/13, 9 October 2003; Special Measures for Protection from Sexual Exploitation and Abuse).

**Sexual harassment:** Any unwelcome sexual advance, request for sexual favour, verbal or physical conduct or gesture of a sexual nature, or any other behaviour of a sexual nature that might reasonably be expected or be perceived to cause offence or humiliation to another, when such conduct interferes with work, is made a condition of employment or creates an intimidating, hostile or offensive work environment. While typically involving a pattern of behaviour, it can take the form of a single incident. Sexual harassment may occur between persons of the opposite or same sex. Both males and females can be either the victims or the offenders.

**Staff:** Refers to but is not limited to all permanent and temporary staff, interns, consultants, observers, volunteers, and all individuals working for or representing Outbox.



**Volunteers:** Refers to volunteers that are supporting any communities we support. This includes any developer or entrepreneurship communities that are as a result of our partners or Outbox.



## Introduction

Outbox applies a Human Rights Based Approach and a Gender Equality Perspective in all its work.

It is essential that Outbox staff receive clear instructions and guidelines with respect to expectations regarding their conduct and are given space to reflect positively on how to stimulate an open, respectful and non-abusive work culture.

In addition, it is essential that Outbox management is equipped with adequate authority, responsibility, monitoring tools and recourse to action in the event of any misconduct. The goal is to create an environment free of sexual exploitation, harassment and/or abuse within Outbox.

In keeping with Outbox's commitment to respect human rights, this policy is based on internationally recognised human rights standards as contained in the Convention on the Elimination of Discrimination Against Women, the Convention on the Rights of the Child and the International Covenant on Civil and Political Rights. Outbox's policy is specifically informed by the United Nations Secretary General's Bulletin 2003/13, 9 October 2003; Special Measures for Protection from Sexual Exploitation and Abuse.

Outbox has a zero tolerance for sexual exploitation and abuse. Outbox will not tolerate its staff, associates, partners or any other representatives associated with the delivery of its work to engage in any form of sexual exploitation or abuse. Vulnerable adults, women and children are particularly at risk of sexual exploitation and abuse. Outbox is committed to protecting all communities that the organisation works with from sexual exploitation and abuse at all times.

## Objective and scope of this policy

The main purpose of this policy is to promote greater accountability and outline the key responsibilities of staff. The aim is that the human rights of all staff as well as every stakeholder, beneficiary and community member whom Outbox seeks to assist should be respected. All staff must be mindful that each and every action, including engaging romantically or sexually with a community member, in whatever/any context, can have repercussions for the fate of many.

The following standards apply to all staff, volunteers, consultants, interns, national as well as international staff, and any other individuals representing the organisation.

The standards in this policy are based on internationally recognised human rights standards. Where a conflict exists between the standards in this policy and national law in a given country, Outbox abides by the relevant Human Rights standards, using its leverage and dialogue where necessary to manage conflicts.



The objective of this policy is to increase awareness and prevent misconduct, including sexual exploitation, abuse and harassment by providing clear guidance to address these issues.

Any deviations must be approved by the Outbox board in dialogue with the relevant executive team.

The Board of Outbox is ultimately accountable for this policy. The Managing Director, Executive/Senior management team and directors of Outbox are responsible for its implementation. It is the responsibility of all representatives of Outbox to raise any concerns regarding sexual exploitation and abuse. Outbox takes all concerns and complaints seriously and will initiate a comprehensive investigation of complaints that are in violation of this policy and take disciplinary and possibly legal action as warranted.



## Provisions

### Prevention of sexual exploitation, abuse and/or harassment

Outbox maintains that sexual exploitation, abuse and/or harassment of persons is an abuse of the human rights of these individuals. For the members of the communities we work in, the dependency of youth on the businesses we support for their livelihoods and communities built creates an ethical responsibility and duty of care on the part of Outbox staff to safeguard the human rights and dignity of these individuals.

Outbox believes that an effective response to sexual exploitation, abuse and/or harassment must be informed by the context and be relevant; the response must be based on an accurate understanding of the communities in which Outbox engages, the work-environment of the specific Outbox office or presence and knowledge of the relevant international human rights standards.

When it comes to behaviour in areas where Outbox engages with livelihood or development work, staff and managers must be aware of the following:

- a) Lack of economic opportunities for locals (including refugees and displaced populations) may result in commercial or exploitative sex becoming one of the few options for income generation to meet basic needs; b) the impacted community may have a culture of gender-based violence, which may continue or be exacerbated; c) the usual social protections may no longer be in place or function.

### Code of conduct to prevent sexual exploitation, abuse and/or harassment:

As part of Outbox's commitment to respect human rights, all Outbox staff wherever they are based and whatever their position should act in the following manner within and outside working hours in keeping with the above mentioned Human Rights Standards:

1. Respect and promote fundamental, internationally adopted human rights without discrimination of any kind and irrespective of social status, ethnicity, colour, religion, gender, sexual orientation, age, marital status, national origin, political affiliation or disability and act with integrity
2. Respect internationally recognised standards for the prevention of sexual exploitation, abuse and or harassment.
3. Respect and promote fundamental, internationally adopted human rights without discrimination of any kind and irrespective of social status, ethnicity, colour, religion, gender, sexual orientation, age, marital status, national origin, political affiliation or disability and act with integrity
4. Respect internationally recognised human rights standards. Where national law is not in keeping with these recognised rights, staff must respect the international standards in this Outbox policy and any deviations must be approved by Outbox senior management. Never exploit the vulnerability of anyone, regardless of their sex, age or sexual orientation or allow anybody to be put in compromising situations



5. Never engage in any kind of sexual activity involving children below the age of 18. Mistaken belief in the age of the child is no defence
6. Never expose staff or staff in implementing partner organisations to any kind of sexual exploitation, abuse and/or harassment. Never commit any act or form of harassment that could result in physical, sexual or serious psychological harm to others
7. Never solicit, or engage in “buying” or profiting from sexual services (including in countries where prostitution is not forbidden by law)
8. Never abuse a professional position by withholding livelihood assistance nor give preferential treatment with the intention of soliciting sexual favours, gifts and payments of any kind
9. Sexual and/or romantic relationships with beneficiaries, volunteers and staff in implementing partner organisations are not compatible with an employment in Outbox and therefore prohibited. Such relationships are based on inherently unequal power dynamics and can undermine the reputation, credibility and integrity of Outbox’s work. There can be certain exceptions to this, but such relationships should always be declared and Outbox’s management is then the sole decision maker on whether such a relationship is compatible with the employment and specific position in Outbox.
10. An employee who engages in a sexual relationship with another employee or is required to inform his or her manager about the relationship. If the relationship creates work-related problems, management will decide on an appropriate measure to solve the problem. This could be either to transfer one of the persons to another unit or to terminate the contract of one of the employees involved.
11. Outbox managers are not allowed to have a sexual relationship with an employee who refers directly to them or is under their line-management. If the situation arises, it may be decided either to transfer one of the persons to another unit, to terminate the contract of the manager involved or taken any other appropriate measure in response to the situation.
12. Members of the senior management team and members of the Outbox board are not allowed to have sexual relationships with any employee, consultant, intern or volunteer in Outbox. If they decide to engage sexually or romantically with a member of staff, intern, volunteer, they cannot retain their position in the board or senior management team
13. Ensure that all confidential information, including reports of breaches of these standards by colleagues, obtained from beneficiaries or colleagues are channeled correctly and handled with utmost confidentiality through appropriate and contextualised reporting mechanisms
14. Report immediately any knowledge, concerns or substantive suspicion of breaches to this Outbox policy to management and/or to the human resource at Outbox head office in Kampala. When there is substantial suspicion of breaches of national or international law, Outbox will decide whether to transfer such cases to the appropriate national authorities for further action in accordance with principals and procedures for handling sensitive complaints.

## Prevention and Response

Crucial elements in Outbox’s overall response are prevention and awareness-raising, monitoring and evaluation, and establishing a complaints mechanism/contact person and a response mechanism. Where Outbox is self implementing, we will take steps to prevent exploitation and abuse within the



communities we work with.

The Outbox policy should be made known to all Outbox staff. Outbox managers with personnel responsibility are entrusted with authority to implement and monitor the active use of the policy. Furthermore, it is recommended that Outbox also raise this issue with partner organisations. Additionally, Outbox recommends that beneficiary's opinions on prevention of sexual exploitation, abuse and/or harassment are sought and incorporated by management into the respective Outbox policy. Roles and responsibilities are described in Annex 1 to this policy.

### **Awareness-raising**

Outbox will raise awareness related to preventions of sexual exploitation, abuse and/or harassment consistently throughout the staff member's period of employment. The topic together with consequences of misconduct will be thoroughly addressed as a mandatory element during the introduction period in Outbox. Outbox is aware that this policy touches on personal behaviour and issues normally considered private. In the discussion on this policy it is important to thoroughly debate how to secure an open, positive non-discriminatory and non-abusive working environment in each local context.

All staff have an individual responsibility to familiarise themselves and their dependents with the Outbox policy as well as on the code of conduct and its purpose.

This document automatically forms part of all contracts of employment.

### **Responding to suspected/alleged breaches**

Any substantial suspicion of breaches of this Outbox policy in terms of sexual exploitation, abuse and/or harassment can and should be reported to the Outbox complaints handling mechanisms and will be handled according to procedures and processes for handling sensitive complaints.

All Outbox staff act as entry-points to the Outbox complaints mechanism and are required to report any knowledge, concerns or substantial suspicions of misconduct to the Outbox head office complaint systems immediately and without investigation. Outbox staff, including those supporting our regional activities are expected to provide support where complaints arise.

Complaints can also be lodged directly with the central complaints mechanism via email to [complaints@outbox.co.ug](mailto:complaints@outbox.co.ug)

The complainant can choose whatever means he/she wishes to raise a complaint.

Once a complaint has been received, the Outbox complaints committee is expected to take prompt investigative action.

In cases of suspicion, hearing rumours or experiencing any doubts related to potential misconduct, staff can seek advice from the HR resource at Outbox head office or write to [complaints@outbox.co.ug](mailto:complaints@outbox.co.ug)





### **Non-retaliation and confidentiality**

Staff, rights holders, community members and other stakeholders must be able to lodge their concerns without fear of reprisal or unfair treatment as a consequence of complaining.

As far as possible, Outbox will do its utmost to ensure that complaints are handled with confidentiality and without risking effects on employment or any form of reprisal and/or harassment as a result of highlighting a genuine problem.

Confidentiality is crucial to achieving satisfactory results, because it protects the complainant, the subject of the complaint and other witnesses. The fact and nature of the complaints, the identities of those involved and documentation resulting from the investigation therefore remain confidential and are only shared on a need-to-know basis in order to conduct the necessary investigation or provide care/expert advice.

### **Criminal records and former complaints**

Staff must notify Outbox of any criminal convictions or charges of sexual abuse, exploitation or harassment. Staff must also notify Outbox of any relevant former complaints made against them concerning suspected or substantiated misconduct related to sexual abuse, exploitation or harassment.

### **Disciplinary measures**

The complaints committee at Outbox Head Office will handle the complaint, including decisions on actions and follow-up. Any upheld breach to this Outbox policy will not be tolerated and may in accordance with relevant legislation lead to internal disciplinary action, including dismissal or even criminal prosecution.



## **ANNEX 1: Division of responsibilities**

### **Outbox country directors and senior management team at Head office**

Outbox directors and senior management team will take overall responsibility for prevention of sexual exploitation, abuse and/or harassment by Outbox staff by ensuring that:

1. A new staff member receives a thorough introduction to the Outbox policy prior to signing a contract with Outbox (from the HR unit). The introduction ensures that staff understand the Outbox policy to prevent (sexual) exploitation, abuse and/or harassment, as well as the consequences of any breach of the policy and the procedures to follow if a breach of policy is reported.
2. Adherence to this Outbox policy is monitored on a daily basis.
3. Implementing partners are also aware of the Outbox policy to prevent (sexual) exploitation, abuse and/or harassment.
4. Communities are informed to the highest degree possible about expected standards of staff behaviour and relevant Outbox complaints channels through which they can lodge complaints.
5. Staff, partners, communities and beneficiaries are aware of where, how and to whom they may raise complaints.
6. Allegations regarding (sexual) exploitation, abuse and/or harassment are reported in writing to the Outbox complaints mechanism. Common sense should be used, and employees have an obligation to report incidents that seem wrong.
7. All information is treated with the utmost discretion and confidentiality to ensure that victim(s), witness(es), subject of the complaint and others involved are not victimized in any way.
8. Procedural safeguards are in place in relation to staff under investigation during the course of the investigation, including suspension if appropriate. This should be done in close correspondence with and as advised by the complaints committee at Outbox.
9. When allegations of or concerns about (sexual) exploitation, abuse and/or harassment are raised, and the subject(s) of the complaint are identified, the subject(s) of the complaint should under normal circumstances be suspended from their position until investigations are finalized. This should be done in close correspondence with and as advised by the complaints committee at Head Office.
10. Appropriate disciplinary action is taken whenever (sexual) exploitation, abuse and/or harassment is adequately documented and proven.

### **The complaints committee at Head office**

A complaints committee will be established as soon as substantial suspicion of (sexual) exploitation, abuse and/or harassment is reported to the Head Office complaints mechanism. The committee will always consist of one woman in senior management, and two other members of senior management, the Outbox corporate secretary as an independent third party. The responsibilities of the committee are the following:

1. To make sure that reported allegations of (sexual) exploitation, abuse and/or harassment are handled, investigated and concluded.
2. When handling sensitive complaints, the complaints committee will consider the safety of both the aggrieved and the accused party as well as any other involved witnesses and stakeholders. The



need for legal advice and support is also evaluated, including a consideration of whether the parties involved should have individual legal advice.

3. To decide on appropriate disciplinary action whenever (sexual) exploitation, abuse and/or harassment is adequately documented and proven.

4. In cases where a criminal act is suspected, to hand over the complaint to the competent authorities

### **Human Resource Unit**

The HR Unit is responsible for thoroughly explaining and ensuring that, prior to signing a contract with Outbox, each staff member understands the Outbox policy to prevent (sexual) exploitation, abuse and/or harassment, as well as the consequences of any breach of the policy and the procedures to follow if a breach of policy is reported.

The HR Unit will act as a resource unit that offers support and guidance to all Managers, Directors and Employees, as necessary. The HR Unit will also be responsible for sharing good practice and lessons learned within Outbox. Additionally, the HR Unit will interact or form effective partnerships with other organisations in order to prepare annual awareness-raising sessions and to share lessons learned with them, with other partners and with stakeholders.

The HR Unit will further be responsible for monitoring and evaluating the Outbox policy to prevent (sexual) exploitation, abuse and/or harassment on a regular basis.

The HR Unit will take the lead in reviewing this policy annually.

### **Staff**

Each Individual must take responsibility for his/her own conduct after having read and consented affirmatively to adhere to the Outbox policy to prevent (sexual) exploitation, abuse and/or harassment. Any allegation or concern regarding (sexual) exploitation, abuse and/or harassment should be reported, in writing, to the complaints mechanism/contact person for further action. If seconded to another organisation, the complaint should be registered in writing with the appropriate program authority and with the Outbox complaints mechanism.



## ANNEX 2: List of service providers

In partnership with the Ministry of Gender, Labour and Social development, we are working with the following service providers to support with external response to any cases of Sexual exploitation and abuse. We recommend that all staff, volunteers, interns and consultants working with us leverage these channels to during implementation of our activities whenever necessary

Organisation name	Phone number	Email	Location	Working hours
MoGLSD Child helpline/Sauti	116 Toll free		National	9 am – 5 pm
Naguru Teenage Centre	0800112222	info@nthic.org	Bugolobi	9 am – 5 pm
Reproductive Health Uganda	+256312207100		Kamwokya	9 am – 5 pm
Action Aid Uganda	+256414510363		Sir Apollo Kaggwa Road Makerere	9 am – 5 pm
FIDA	+256414530848	fida@fidauganda.org	Kiira Road, Kamwokya	9 am – 5 pm
Uganda Police Child and Family Protection Unit	+256414233814 +256414250613  999 / 112 Emergency Numbers	<a href="mailto:info@upf.go.ug">info@upf.go.ug</a>	Various	24 hours a day